



AGENDA ITEM #: 72

MEMORANDUM

TO: Metropolitan Planning Commission
FROM: Dan Kelly, Deputy Director
DATE: Wednesday, April 04, 2018
SUBJECT: Amendments to MPC Administrative Rules and Procedures regarding tabled items.
4-C-18-OB

STAFF RECOMMENDATION:

APPROVE the amendment to Article XII (12) Section 4 - Tablings of the MPC Administrative Rules and Procedures as proposed

BACKGROUND:

Staff has been requested to address the excessive number of tabled items that appear on the MPC monthly agenda. The April 12, 2018 MPC agenda lists thirty-seven tabled items. Thirty-four of the items have been on the table for over a year. One of the tabled items dates back to 2009 (4-SC-09-C / 4-D-09-UR). Many of the items have been tabled for over three years. Staff is proposing a two pronged approach to deal with the issue. First, we have sent every applicant or applicant's representative, which has a matter on the table, a letter requesting they permit their item to be withdrawn if it is no longer viable. Secondly, we are proposing an amendment to the MPC Administrative Rules and Procedures which will automatically "sunset" a tabled matter after one year unless MPC takes action to permit the item to stay on the table for one additional year.

Staff believes the greatest majority of the items that are tabled for a period greater than one year are no longer viable. Our belief is based on the response that we have gotten from the letter we sent out in March to the listed contact person for each of the tabled items. Staff has received only three requests to permit their item to remain on the table. In many cases we have found the applicant has lost their option or allowed their contract to lapse or more frequently they have simply forgotten about the item because the associated project is no longer viable. Prior to the April 12 meeting staff will be prepare a list of tabled items that can be taken off the table for the purpose of withdrawal. We anticipate those matters will be placed on the May 10, 2018 MPC agenda for action at that time.

The proposed amendment to the Administrative Rules and Procedures will not prevent someone from asking that a matter be placed on the table. However, we believe that it will prevent the backlog of tabled cases from getting out of hand in the future. Staff thinks that applicants will only table items that are viable and will make every effort to see them through the approval process. We believe the table will no longer be thought of as a good place to let projects die.

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
FAX • 215 • 2068
www.knoxmpc.org

ARTICLE XII – PLANNING COMMISSION ACTION ON APPLICATION

SECTION 4 -TABLINGS

A. Removal from the Table - No change

B. Removal from the Table for Purpose of Withdrawal – Proposals shall be removed from the table and placed on the Planning Commission agenda for consideration as follows:

1. The applicant may submit a written request to the Planning Commission staff to remove their proposal from the table for the purpose of withdrawal. If the Chair or any two members of the Planning Commission consent to the request prior to the Closing Date, the application will be placed on the agenda for the next regularly scheduled monthly public meeting for consideration of withdrawal only. Public notice of the application by publication, posting, or otherwise, shall not be required.

2. Unless a time extension has been requested in writing by the applicant and granted by the Planning Commission at its regular monthly meeting all tabled matters must be acted on within twelve (12) months after being placed on the table. If a tabled matter has not been acted on by the Planning Commission within twelve months after being placed on the table, the application will be placed on the agenda of the next regularly scheduled monthly meeting for consideration of withdrawal only. Public notice of the application by publication, posting, or otherwise, shall not be required.

An extension if granted by the Planning Commission will be for a period to not exceed 12 months. Applications that remain on the table after the extension has expired will be placed on the agenda of the next regularly scheduled monthly meeting for consideration of withdrawal only. Public notice of the application by publication, posting, or otherwise, shall not be required. No application will be permitted to remain on the table longer than 24 months.